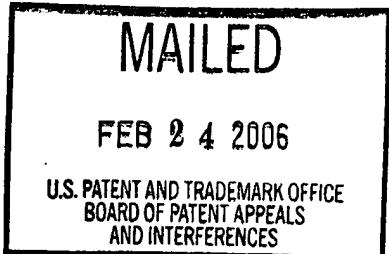


The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

*Ex parte* ROBERT M. RAYMOND, MICHAEL L. LEONHARDT,  
and THAI NGUYEN



Appeal No. 2006-0426  
Application No. 09/283,958

ON BRIEF

Before OWENS, RUGGIERO, and DIXON, *Administrative Patent Judges*.  
OWENS, *Administrative Patent Judge*.

*DECISION ON APPEAL*

This appeal is from a rejection of claims 50-82, which are all of the pending claims.

*THE INVENTION*

The appellants claim a magnetic recording head which, the appellants state, provides "increased track density by more closely spacing write elements across the magnetic media" and "densely packed write elements with recording gaps parallel to the substrate plane thereby permitting accurate manufacturing of gap dimensions and element placement through standard thin film processing techniques" (specification, page 3, lines 4-9).

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Claim 50 is illustrative:

50. A magnetic recording head for writing multiple data tracks onto a magnetic media traveling across the head in a media direction, the head comprising a plurality of thin film write elements, each element having a front region defining a gap and a back region admitting loops of a conductive coil, a portion of each loop normal to the media direction, each gap aligned along a position line, the yokes alternately positioned such that a first plurality of write elements has each back region on a first side of the position line and a second plurality of write elements has each back region on a second side of the position line opposite the first side.<sup>[1]</sup>

#### THE REFERENCES

|   |                               |               |
|---|-------------------------------|---------------|
| Miyauchi et al. (Miyauchi)                          | 5,274,521                     | Dec. 28, 1993 |
| Kaaden et al. (Kaaden)                              | 5,978,188                     | Nov. 2, 1999  |
|   | (§ 102(e) date Mar. 30, 1998) |               |
| Gray et al. (Gray)<br>(European patent application) | EP 0 727 772 A2               | Aug. 21, 1996 |

#### THE REJECTION

Claims 50-82 stand rejected under 35 U.S.C. § 103 as being unpatentable over Gray in view of Kaaden and Miyauchi.

#### OPINION

We reverse the aforementioned rejection.

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<sup>1</sup>The examiner and the appellants should address whether there is adequate antecedent basis for "the yokes" in claim 50.

Among claims 50-82, the independent claims are claims 50, 62 and 71. Each independent claim requires yokes which each have a front region defining a gap. Claims 50 and 71 require that the gaps are aligned along a position line. Claim 62 requires that 1) a position line extends across a plane that is parallel to magnetic media, 2) the position line intersects the projection of each magnetic media track onto the plane, and 3) yoke front regions which form a gap are aligned across the position line.

The examiner argues that Gray discloses "a position line normal to the media direction between the write elements; each gap of the thin film elements having a gap angle with the position line and opposite the gap angle of the adjacent gap angle (Fig. 2)" (answer, page 4). Gray's figure 2 shows, near the center of a die, two unlabeled elements which the examiner apparently relies upon as corresponding to the appellants' write elements. The examiner does not point out what the examiner considers to be the position line, gap and gap angle.

The examiner argues that "Kaaden et al '188 disclose a magnetic head assembly (5) having a first plurality of write elements (7) having their back regions on a first side of a position line, e.g., matrix (8), and a second plurality of write elements (7) on a second side of the position line opposite the

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first side" (answer, page 5). The lines in Kaaden's figure 1 show the arrangement of active parts (7) in a two-dimensional matrix (8).

The examiner argues that "Miyauchi et al '521 show a magnetic head having a read element (36) which is within the yoke (53) beneath the gap" (answer, page 6).

Nowhere in the answer does the examiner explain how the applied references disclose or would have fairly suggested, to one of ordinary skill in the art, the independent claims' alignment requirements set forth above. The examiner, therefore, has not carried the burden of establishing a *prima facie* case of obviousness of the appellants' claimed invention.

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*DECISION*

The rejection of claims 50-82 under 35 U.S.C. § 103 over Gray in view of Kaaden and Miyauchi is reversed.

*REVERSED*

*Terry J. Owens*

TERRY J. OWENS )  
Administrative Patent Judge )  
)  
)

*Joseph Ruggiero*

JOSEPH F. RUGGIERO )  
Administrative Patent Judge )  
)  
)

*John L. Dixon*

JOSEPH L. DIXON )  
Administrative Patent Judge )  
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